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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/923,369	09/03/97	RODIE	757

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EXAMINER

ART UNIT 2712	PAPER NUMBER
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06/01/98

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/923,369

Applicant(s)

Koike et al.

Examiner

Vincent F. Boccio

Group Art Unit
2712



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1 and 8-15 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 and 8-15 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☒ received in Application No. (Series Code/Serial Number) 08/563,188.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2712.

Drawings

1. The corrected or substitute drawings were received on 9/3/97. These drawings are approved by the examiner.

Double Patenting

2. Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 08/563,188. Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1, of the present application is encompassed by claim 1 of copending application 08/563,188. This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schnorf(US 5,367,341) in view of Lang (US 5,164,839).

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Schnorf, in Fig. 1, 3 and 5 discloses a disc recording reproducing and reproducing means (Optical disc or Hard Disk), a tape recording and reproducing means (see Fig. 1, "Tape", in the "Digital Processing", area), a data transfer means (see Figs. 3 or 5, bus-21 or 221), a first input/output means (see Fig. 5, "Original Analog Video Signal" input to 231 and "Edited Analog Video Signal" outputting to 229, 230) and a second input/output means (see col. 5, lines 67-68 network storage via network interface 23 a, through a Network connection it is well known that Data of Various types may be transferred on and off the Network through a Network connection/interface); and the disc and tape recording and reproducing means record and reproduce audio and visual data (see col. 2, 30-32 and col. 4, lines 10-15) to and from the transfer means wherein the disc provides random access reproduction to the transfer means to and from any record and playback means (see bi-directional arrows input and output from Bus-21, 221 and VCR, disc-optical, laser disc, network connection ... etc.).

Schnorf further discloses the first input/output means receives analog audio-visual data from a first outside apparatus (see Figs. 1, 3 or 5, "Analog Signals", VCR or Camcorder or Laser Disc Player ... etc.), converting the same to audio visual data of a digital format (see Fig. 1, "Frame Grabber or Digitizer-2"), and outputting the same to said data transfer

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means(computer bus-21 or 221) and converting the audio visual data transferred from said data transfer means to an audio visual signal of an analog format(see Fig. 1, "D/A converter-9") and outputting the same to a second outside apparatus(see VCR or Laser Disc Recorder ... etc.). The second input/output means receiving audio/visual data from a communication line(see network 23 b or 223 b, connection of network interface 23 a or 223 a) connected to a third outside apparatus (see col. 4, lines 9-15, network storage via network interface 23 a) and outputting the audio visual data transferred from the transfer means(bus) to a communication line(optical disc input connection/wire) connected to a fourth outside apparatus(see Fig. 1, VCR or Laser Disc Recorder ... etc.).

Schnorf fails to particularly disclose the disc, Tape/VCR, and first, second input/output means and the data transfer means being integrally assembled together.

Lang, teaches in Figs. 1-4, the concept of having a disk(see Fig. 2, Memory-13 may be replaced with a Magnetic Disk {col. 6, lines 33-42}), VCR-84 (Tape Cassette Recorder-84), data transfer means(see Fig. 2, VCU-12 {CPU-28, Comp.-26/Decom.-27, A/D-24 and D/A-25 RAM-29) the first(see Fig. 3, A VRU-11) and second(see Fig. 4, Modem-79) input/output means being integrally assembled (see Figs. 1, "A Single Housing" and Fig. 4, "Elements integrally assembled in the housing, disclosed in Fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the editing system of Schnorf by incorporating the teaching of the integrally assembling multiple components such as the disk, tape and first and second input/output means as taught by Lang in order to provide an editing system that is lighter and easier to carry by eliminating multiple housings of each element.

5. Claims 8-9, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasho et al. (US 5,103,348) in view of Koishi (US 5,420,690).

Regarding claims 8, 13-15, Sasho et al. in Fig. 2, discloses a video data recording and reproducing system for editing source video data; having a VTR for recording a source video data onto a tape medium with a first data rate during a recording period and for reproducing recorded source video data from said tape medium with a second data rate which is higher than said first transfer rate to generate video data (see col. 2, lines 30-35, col. 4, lines 8-30); a recording means (9) for recording said reproduced video data onto a medium with said data rate so that said source video data is copied from said tape medium to said ^Adisc medium during a transfer period which is shorter than said recording period of said source video data (Since, the source tape players (10 A, B) can reproduce recorded information at a tape speed higher than normal {col. 4, lines 25-30} to be recorded be

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the recording unit(9), Sasho et al. meets the limitation of recording the video information at a second rate higher than the first rate or real time rate).

Sasho et al. further discloses an editing means for controlling a reproduction operation of said recording means to generate an edited video data comprising a plurality of edit portions which designated by the operation from said source video data recorded on the recording means(see col. 3, lines 44 to col. 4, line 7 and Fig. 4).

Sasho et al. fails to disclose the recording medium being a disc and wherein the information recorded can be recorded at a higher rate and reproduce at a lower/same rate and wherein the video information can be recorded at a normal rate and reproduced at the same or higher rate.

Koishi, teaches utilization of a disc recording medium having the advantage of random access of video information recorded on the disc recording medium. Koishi, further teaches recording source material at normal/real time rate and reproducing information at a higher rate than normal/real time. Furthermore, Koishi teaches recording information at a higher rate than normal/real time and reproducing the information at the normal/real time rate(see Figs. 1-2) in order to reduce the time during which the transmission occupies the transmission line can be realized.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Sasho et al. by providing the disc apparatus and medium with associated functionality as taught by Koishi in order to reduce the time during which the transmission occupies the transmission line can be realized.

Regarding claim 9, the combination of Koishi and Sasho et al. meets the limitations of wherein the editing means controls the reproduction operation of the disc recording means so that the edited video data is reproduced from the disc medium with the first or second rate(see Koishi, col. 6, lines 5-27 and Abstract).

6. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasho et al.(US 5,103,348) and Koishi (US 5,420,690) in view of Schnorf(US 5,367,341).

Regarding claims 10-12, the combination of Sasho et al. and Koishi fail to disclose the operation of transferring information between the disc and tape recording and reproducing means.

Schnorf, teaches an editing configuration of having multiple record and reproduction units(DISC, TAPE etc.) connected to a by-directional bus to provide the ability to record and or reproduce to or from any recording or reproducing unit connected to the bi-directional communication transfer means(see Fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination of Sasho et al. and Koishi by incorporating a bidirectional bus between recording and reproducing elements of the editing system as taught by Schnorf having the advantage of transferring data to or from any recording and reproducing unit connected to the bidirectional bus as taught by Schnorf.

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communication intended for entry)

or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent F. Boccio whose telephone number is (703) 306-3022.

If any attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Andrew Faile, can be reached at 703-305-4380.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703-305-3900.

V.F.B. *VFB*
May 23, 1998

Andrew Faile
ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700